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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR 09-01151-JF
11)
Plaintiff,) STIPULATION AND ~~[PROPOSED]~~
12 vs.) ORDER CONTINUING HEARING DATE
13) AND EXCLUDING TIME UNDER THE
MARY SANTOS MORALES,) SPEEDY TRIAL ACT
14 Defendants.)
15 _____)

16 **STIPULATION**

17 Defendant Mary Santos Morales, by and through Assistant Federal Public Defender
18 Varell L. Fuller, and the United States, by and through Assistant United States Attorney Jeffrey
19 B. Schenk, hereby stipulate that, with the Court's approval, that the status hearing currently set
20 for Thursday, March 4, 2010 at 9:00 a.m., shall be continued to Thursday, March 25, 2010 at
21 9:00 a.m.

22 The reason for the continuance is defense counsel requires additional time to confer with
23 Ms. Santos-Morales and her immigration attorney about the collateral immigration consequences
24 of the government's proposed plea agreement to resolve this matter and defense counsel's
25 effective preparation.

26 The parties agree that the time between March 4, 2010 and March 25, 2010 is excludable

1 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation by
2 defense counsel.

3 Dated: March 3, 2010

4 _____/s/
VARELL L. FULLER
5 Assistant Federal Public Defender

6 Dated March 3, 2010

7 _____/s/
JEFFREY B. SCHENK
8 Assistant United States Attorney

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10 **~~PROPOSED~~ ORDER**

11 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
12 ORDERED that the hearing currently set for Thursday, March 4, 2010, shall be continued to
13 Thursday, March 25, 2010, at 9:00 a.m.

14 THE COURT FINDS that failing to exclude the time between March 4, 2010, and March
15 25, 2010, would unreasonably deny defense counsel reasonable time necessary for effective
16 preparation, taking into account the exercise of due diligence. See 18 U.S.C. §
17 3161(h)(7)(B)(iv).

18 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
19 between March 4, 2010, and March 25, 2010, from computation under the Speedy Trial Act
20 outweigh the interests of the public and the defendant in a speedy trial.

21 THEREFORE, IT IS HEREBY ORDERED that the time between March 4, 2010, and
22 March 25, 2010, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
23 3161(h)(7)(A) and (B)(iv).

24 IT IS SO ORDERED.

25 Dated: 3/3/10

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THE HONORABLE JEREMY FOGEL
United States District Court Judge

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